## UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: EDWARD JAMES CAMPBELL and : CHAPTER 13

SANDRA DEE CAMPBELL

Debtors

JACK N. ZAHAROPOULOS

STANDING CHAPTER 13 TRUSTEE

Movant

:

VS.

:

EDWARD JAMES CAMPBELL and

SANDRA DEE CAMPBELL

Respondents : CASE NO. 1-22-bk-01616

## TRUSTEE'S OBJECTION TO THIRD AMENDED CHAPTER 13 PLAN

AND NOW, this 14<sup>th</sup> day of November, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. §§ 1322(a)(1) and 1325(b) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

- a. Earning capacity Debtors are attempting to modify their base plan payment down dramatically without explanation of why Debtor 1 is not working. Moreover, the Trustee avers that debtor 1's earning capacity has not changed.
- 2. Trustee avers that debtor(s)' plan cannot be administered due to the lack of the following:
  - a. Most recent pay advice for debtor #2.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

a. Deny confirmation of debtor(s) plan.

- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos Standing Chapter 13 Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 (717) 566-6097

BY: /s/Douglas R. Roeder
Attorney for Trustee

## **CERTIFICATE OF SERVICE**

AND NOW, this 14th day of November, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

John Hyams, Esquire 2023 N. 2<sup>nd</sup> Street, Suite 203 Harrisburg, PA 17102

/s/Deborah A. DePalma
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee